

35. (original) The rotary actuator assembly of Claim 31, wherein the cable wraps around a portion of the pinion.

36. (original) The rotary actuator assembly of Claim 35, wherein a fastener attaches the cable to the pinion.

37. (currently amended) A rotary actuator assembly comprising:
a selectively rotatable body;
a flexible, longitudinally-extending means for engaging and selectively rotating the rotatable body; ~~and~~
an actuation means that moves the longitudinal extending means for rotating the rotatable body; and
a sealing means that seals the actuation means from the selectively rotatable body.

38. (cancel)

*** * REASONS FOR AMENDMENTS AND REMARKS * ***

Applicants wish to acknowledge with appreciation the Examiner's analysis and efforts in examining this application. The indication of allowability of Claims 16 and 29 is also appreciated.

On page 2 of the Official Action, the Examiner rejected Claims 1-18, 21-23 and 25-27 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner alleges that in Claim 1, lines 2-3, "an actuator; at least one piston movable in response to the actuator" is confusing, since the piston is the actuator. The Examiner further alleges that in Claims 6 and 21, lines 1-2, "a piston is attached to opposed portions of the cable" is wrong, since there are disclosed two pistons, each attached to a respective opposed portions of the cable.

Claims 1, 6 and 21 have been amended to address the Examiner's issues. It is, therefore, respectfully requested that the objection be withdrawn.

The Examiner alleges that the term “bearing member” in Claims 7, 22 and 23 is used by the claim to mean “spherical member,” while the accepted meaning is “support member for a first element movable to relative to a second member.” The Examiner held that the term was indefinite because the specification does not clearly redefine the term. The Examiner suggests that --spherical member-- replace “bearing member” in Claims 7, 22 and 23, line 2, and in the specification.

The Examiner’s objection, with respect to the term “bearing member” in Claims 7, 22 and 23, is respectfully traversed. Since there is no citation, it is unknown where the Examiner finds the “accepted meaning” to be “support member for a first element movable relative to a second member.” This language does not seem to appear in the specification. Nonetheless, the Examiner’s position that “bearing member” is indefinite because the specification does not clearly “redefine” the term, is not understood. Such redefinition is not believed necessary. The specification is replete with references to the bearing 64 that couples a portion of cable 62 to pinion 34. (See pages 8 through 10 of the specification.) In fact, the Examiner’s suggestion of “spherical member” is a term that is not recited in the specification. Furthermore, the term is respectfully believed to be unduly limiting. Bearing 64 is not intended to be so limiting. (See *Id.*) In addition, the specification does specifically recite what is claimed in Claim 7, for example. This claim states that, “the set is a bearing member.” On page 8 of the specification, structure 64 is referred to as a “set or bearing.” It is, thus, respectfully requested that this objection be withdrawn.

On pages 2 and 3 of the Official Action, the Examiner rejected Claims 18, 20, 21, 25-27, and 30-38 under 35 U.S.C. § 102(b) as being anticipated by Walters; the Examiner also rejected Claims 1, 3, 5, 9, 10, 12-14, 17-19, 24, 30, 37 and 38 under 35 U.S.C. § 102(b) as being anticipated by Gajek et al; the Examiner further rejected Claims 1, 3-5, 9, 10, 11, 12, 15, 17-19, 24, 28, 30, 37 and 38 under 35 U.S.C. § 102(b) as being anticipated by Card et al. (4,295,630); and the Examiner rejected Claims 1, 3-5, 7, 9, 10, 11, 12, 15, 17-19, 22-24, 28, 30, 37 and 38 under 35 U.S.C. § 102(b) as being anticipated by Card et al. (4,480,811).

In light of the amendments made to independent Claims 1, 18, 31, and 37, it is respectfully believed that the Examiner’s rejections and cited art are moot. None of the cited

references disclose a seal or sealing means located either between the piston and pinion, or the body and cap. With respect to the Gajek et al. reference, it is directed to a linear actuator, not a rotary actuator. It is, therefore, respectfully requested that these rejections be withdrawn.

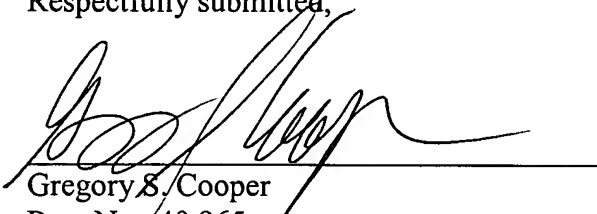
On pages 3 and 4 of the Official Action, the Examiner rejected Claims 1-10, 12-14, 17, 19, 22 and 23 under 35 U.S.C. § 103 as being obvious under Walters in view of Gauthier.

Again, in light of the amendments made to independent Claims 1, 18, 31, and 37, it is respectfully believed that the rejections and cited art are moot. None of the cited references disclose a seal or sealing means located either between the piston and pinion, or the body and cap. It is, therefore, respectfully requested that these rejections be withdrawn.

If, upon consideration of the above, the Examiner should feel that there remain outstanding issues in the present application that could be resolved, the Examiner is invited to contact Applicants' patent counsel at the telephone number given below to discuss such issues.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. To the extent additional fees are required, please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 02-1010 (614359/82654) and please credit any excess fees to such deposit account.

Respectfully submitted,



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